

APPLICANT(S): LAKHOTKIN, Yury Viktorovich et al.
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REMARKS

The present Response and Amendment is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 1-46 are pending in the application. Claims 1-46 have been rejected. Claims 1, 2, 19, and 20 have been amended.

Applicants respectfully assert that the amendments to the claims add no new matter.

Examiner's Interviews

Initially, Applicants wish to thank the Examiner, Archene A. Turner, for granting and attending a telephone interview, on August 2, 2006, with Applicants' Representative, Caleb Pollack, Reg. No. 37, 912, Associate Yamima Eadan, Associate Naomi Liver, and representative of the assignees' Chris Vaughan, and a telephone interview on August 3, 2006 with Caleb Pollack. In the interviews on August 2nd and August 3rd, claim 1 was discussed in light of the prior art of record. In the interview on August 3rd the Examiner agreed that claim 1 as amended above is allowable over the prior art rejections of record. The undersigned thanks the Examiner for her observations and helpful suggestions regarding claim amendments. Claims 2, 19 and 20 have been amended in full accordance therewith.

CLAIM REJECTIONS

35 U.S.C. § 102(a) Rejection Based on Lakhotkin

In the Office Action, the Examiner rejected claims 1-15, 17, 19-33, 35, 37-38, 40-42, 45 and 46 under 35 U.S.C. § 102(a), as being anticipated by EP patent No. 1158070 to Lakhotkin ("Lakhotkin I") and under 35 U.S.C. § 102(e), as being anticipated by U.S. Patent No. 6,800,383 to Lakhotkin ("Lakhotkin II"). Since Lakhotkin I and Lakhotkin II (referred to herein collectively as "Lakhotkin") both claim priority from PCT/RU99/00037 Applicants will discuss the two references and the two rejections together. Applicants respectfully traverse these rejections of claims 1-15, 17, 19-33, 35, 37-38, 40-42, 45 and 46 under 35 U.S.C. § 102(a or e), as being anticipated by Lakhotkin in view of the remarks that follow.

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During the August 3rd interview, the Examiner agreed that claim 1 as amended above is allowable over the prior art rejections of record.

Applicants' independent claim 1 as amended includes, inter alia, "a self sharpening cutting tool comprising: a cutting edge made of a first material, the cutting edge being coated only on one side thereof with a coating ... wherein the coating has a layered or laminar microstructure aligned substantially parallel to the coated side of the cutting edge to enable wear or breaking off of micro-particles following the layered or laminar structure pattern". Applicants' independent claim 19 as amended includes, inter alia, "providing a cutting edge made of a first material or materials; and coating only one side of the cutting edge ... wherein the coating has a layered or laminar microstructure aligned substantially parallel to the coated side of the cutting edge to enable wear or breaking off of micro-particles following the layered or laminar structure pattern".

Lakhotkin teaches applying "erosion resistant coatings on turbine blades, and nozzles for water-jet cutting ...". Lakhotkin does not teach a coating that enables the wear or breaking off of micro-particles following the layered or laminar structure pattern. Lakhotkin's erosion resistant coating is intended to prevent wear, while Applicants' claims 1 and 19 include a coating that enables wear. Furthermore, Lakhotkin does not teach a self sharpening tool, a cutting edge, or a cutting edge coated only on one side, as required in each of Applicants' independent claims 1 and 19.

In order for a reference to anticipate a claim under 35 U.S.C. 102, the reference must teach every element of the claim. As discussed, Lakhotkin does not teach every element of either of Applicants' independent claims 1 and 19 as amended. Applicants therefore assert that independent claims 1 and 19 are allowable over Lakhotkin.

Each of dependent claims 2-15, 17, 20-33, 35, 37-38, 40-42, 45 and 46 depends directly or indirectly from one of independent claims 1 and 19 and includes all of the elements of the claim from which it depends; therefore each of these claims is likewise allowable.

Applicants respectfully request that the Examiner withdraw the rejection of claims 1-15, 17, 19-33, 35, 37-38, 40-42, 45 and 46 under 35 U.S.C. § 102, as being anticipated by either Lakhotkin reference.

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35 U.S.C. § 102(b) Rejection Based on Braun

In the Office Action, the Examiner rejected claims 1-46 under 35 U.S.C. § 102(b), as being anticipated by International Publication Number WO 97/39862 to Braun ("Braun"). Applicants respectfully traverse this rejection of claims 1-46 under 35 U.S.C. § 102(b), as being anticipated by Braun in view of the remarks that follow.

During the August 3rd interview, the Examiner agreed that claim 1 as amended above is allowable over the prior art rejections of record.

Applicants' independent claims 1 and 19 as amended include, inter alia, "a coating comprising tungsten carbide or mixtures of tungsten carbides". Braun does not teach a coating comprising tungsten carbide or mixtures of tungsten carbides as is required in Applicants' independent claims 1 and 19 as amended.

In order for a reference to anticipate a claim under 35 U.S.C. 102(b), the reference must teach every element of the claim. Applicants assert that Braun does not teach a coating comprising tungsten carbide or mixtures of tungsten carbides as required in Applicants' independent claims 1 and 19 as amended. Applicants therefore assert that independent claims 1 and 19 are allowable over Braun.

Each of dependent claims 2-18 and 20-46 depends directly or indirectly from independent claims 1 and 19 as amended and includes all of the elements of the claim from which it depends, therefore each of these claims are likewise allowable.

Applicants respectfully request that the Examiner withdraw the rejection of claims 1-46 under 35 U.S.C. § 102(b), as being anticipated by Braun.

Conclusion

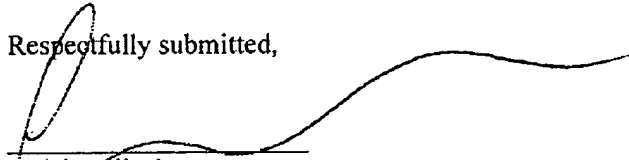
In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Response, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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Except for the fees for the Petition for Extension of Time, being paid separately, no additional fees are believed to be due associated with this paper; however, if any such fees are due, please charge such fees to deposit account No. 50-3355.

Respectfully submitted,



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